

§ 334.1270

33 CFR Ch. II (7–1–13 Edition)

§ 334.1270 Port Townsend, Indian Island, Walan Point; naval restricted area.

(a) *The area.* The waters of Port Townsend Bay bounded by a line commencing on the north shore of Walan Point at latitude 48°04'42" North, longitude 122°44'30" West (Point A); thence to latitude 48°04'50" North, longitude 122°44'38" West (Point B); thence to latitude 48°04'52" North, longitude 122°44'57" West (Point C); thence to latitude 48°04'44" North, longitude 122°45'12" West (Point D); thence to latitude 48°04'26" North, longitude 122°45'21" West (Point E); thence to latitude 48°04'10" North, longitude 122°45'15" West (Point F); thence to latitude 48°04'07" North, longitude 122°44'49" West (Point G); thence to a point on the Walan Point shoreline at latitude 48°04'16" North, longitude 122°44'37" West (Point H).

(b) *The regulations.* This area is for the exclusive use of the U.S. Navy. No person, vessel, craft, article or thing shall enter the area without permission from the enforcing agency. The restriction shall apply during periods when ship loading and/or pier operations preclude safe entry. The periods will be identified by flying a red flag from the ship and/or pier.

(c) *Enforcement.* The regulation in this section shall be enforced by Commander, Navy Region Northwest and such agencies and persons as he/she shall designate.

[73 FR 78634, Dec. 23, 2008]

§ 334.1275 West Arm Behm Canal, Ketchikan, Alaska, restricted areas.

(a) *The area—Area No. 1.* The waters of Behm Canal bounded by a circle 2,000 yards in diameter, centered on 55°36' N latitude, 131°49.2' W longitude.

Area No. 2. The waters of Behm Canal bounded by a circle 2,000 yards in diameter, centered at 55°34' N latitude, 131°48' W longitude.

Area No. 3. The waters of Behm Canal excluding those areas designated as areas Nos. 1 and 2 above, bounded by an irregular polygon beginning at the shoreline on Back Island near 55°32.63' N latitude, 131°45.18' W longitude, then bearing about 350° T to 55°38.06' N latitude, 131°46.75' W longitude then bearing about 300° T to 55°38.52' N latitude, 131°48.15' W longitude, then bearing

about 203° T to 55°33.59' N latitude, 131°51.54' W longitude, then bearing about 112° T to the intersection of the shoreline at Back Island near 55°32.53' N latitude, 131°45.77' W longitude, then northeast along the shoreline to the point of beginning.

Area No. 4. The waters of Clover Passage bounded by an irregular polygon beginning at the shoreline on Back Island near 55°32.63' N latitude, 131°45.18' W longitude, then bearing 150° T. to the intersection of the shoreline on Revillagegedo Island near 55°30.64' N latitude, 131°43.64' W longitude, then southwest along the shoreline to near 55°30.51' N latitude, 131°43.88' W longitude, then bearing 330° T to the intersection of the shoreline on Back Island near 55°32.16' N. latitude, 131°45.20' W longitude, and from there northeast along the shoreline to the point of beginning.

Area No. 5. The waters of Behm Canal bounded to the north by a line starting from Point Francis on the Cleveland Peninsula to Escape Point on Revillagegedo Island then south along the shoreline to Indian Point, then south to the Grant Island Light at 55°33.3' N latitude, 131°43.62' W longitude then bearing 218° T. to the south end of Back Island and continuing to the intersection of the shoreline on Betton Island at about 55°31.55' N latitude, 131°45.98' W longitude, then north along the shoreline of Betton Island to the western side below Betton Head at about 55°30.83' N latitude, 131°50' W longitude, then bearing 283° T. across Behm Canal to the intersection of shoreline near the point which forms the southeast entrance of Bond Bay at about 55°31.60' N latitude, 131°56.58' W longitude, then northeast to Helm Point on the Cleveland Peninsula, then northeast along the shoreline to the point of beginning at Point Francis.

(b) *The regulations—(1) Area No. 1.* Vessels are allowed to transit the area at any time. No vessel may anchor within the restricted area or tow a drag of any kind, deploy a net or dump any material within the area.

(2) *Area No. 2.* Vessels are allowed to transit the area at any time. No vessel may anchor within the restricted area or tow a drag of any kind, deploy a net or dump any material within the area.

Vessels are also prohibited from mooring or tying up to, loitering alongside or in the immediate vicinity of naval equipment and barges in the restricted area.

(3) *Area No. 3.* Vessels are allowed to transit the area at any time. Due to the presence of underwater cables and instrumentation, anchoring is prohibited and the towing of a drag or any object within 100 feet of the bottom is also prohibited. Anchoring is allowed within 100 yards of the shore of Back Island except within 100 yards of each side of the area where electrical and other cables are brought ashore. The termination location of the cables on the land is marked with a warning sign that is visible from the water.

(4) *Area No. 4.* Due to the presence of communication and power cables crossing from Revillagegedo Island to Back Island no anchoring or towing of a drag is allowed. Anchoring is allowed within 100 yards of the shore of Back Island except within 100 yards of each side of the area where the cables are brought ashore. The termination location of the cables on the land is marked with a warning sign that is visible from the water.

(5) *Area No. 5.* (i) The area will be open unless the Navy is actually conducting operations. To ensure safe and timely passage through the restricted area vessel operators are required to notify the Range Operations Officer of their expected time of arrival, speed and intentions. For vessels not equipped with radio equipment, the Navy shall signal with flashing beacon lights whether passage is prohibited and when it is safe to pass through the area. A flashing green beacon indicates that vessels may proceed through the area. A flashing red beacon means that the area is closed to all vessels and to await a green clear signal. Each closure of the area by the Navy will normally not exceed 20 minutes.

(ii) Small craft may operate within 500 yards of the shoreline at speeds no greater than 5 knots in accordance with the restrictions in effect in area No. 3.

(iii) During the period May 1 through September 15 annually, the Navy will only conduct acoustic measurement tests which will result in transitory re-

strictions in Area #5 for a total of no more than 15 days.

(iv) Transitory restrictions in Area #5 will not be enforced during daylight hours when Navy testing coincides with pre-scheduled special events in Behm Canal. Special events are defined as summer holidays or celebrations, competitions, or economic endeavors scheduled by an agency or organization, and typically occurring every year for the utilization of natural resources of Behm Canal. Special events include commercial emergency seine fishery openings from July 25 through September 15, historic salmon derbies lasting eight days or less, Memorial Day, Labor Day, Independence Day or any nationally recognized three day weekend to celebrate these holidays.

(v) Public notification that the Navy will be conducting operations in Behm Canal will be given at least 72 hours in advance to the following Ketchikan contacts: U.S. Coast Guard, Ketchikan Gateway Borough Planning Department, Harbor Master, Alaska Department of Fish and Game, KRBD Radio, KTKN Radio, and the Ketchikan Daily News.

(c) Vessels will be allowed to transit Restricted Area #5 within 20 minutes of marine radio or telephone notification to the Navy Range Operations Officer.

(d) *Enforcement.* The regulations in this section shall be enforced by the Commander, David Taylor Research Center and such agencies he/she may designate.

[55 FR 2586, Jan. 25, 1990, as amended at 55 FR 10237, Mar. 20, 1990; 58 FR 6718, Feb. 2, 1993]

§ 334.1280 Bristol Bay, Alaska; air-to-air weapon range, Alaskan Air Command, U.S. Air Force.

(a) *The danger zone.* An area in Bristol Bay beginning at latitude 58°24' N., longitude 159°10' W.; thence to latitude 57°58' N., longitude 158°30' W.; thence to latitude 57°07' N., longitude 160°20' W.; thence to latitude 58°02' N., longitude 161°40' W.; and thence to the point of beginning.

(b) *The regulations.* (1) Intermittent firing will be conducted over two to three day periods about 2 hours a day between the hours of 10:00 a.m. and 4:00